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August 30, 2019

Harry Lanphear  
Administrative Director  
Maine Public Utilities Commission  
State House Station 18  
Augusta, Maine 04333-0018

Re: ELECTRICITY MAINE, LLC, Application for License to Operate as a Competitive  
Electricity Provider Pertaining to Electricity Maine, LLC  
Docket No. 2010-00256

Dear Harry,

Filed herewith please find the Brief of the Office of the Public Advocate in the above-captioned matter. In this brief, the OPA reviews the record of extensive misconduct by Electricity Maine and demonstrates that a civil penalty of up to \$5 million is supported by Maine law and by the record. Notwithstanding this maximum amount, the OPA recommends that the Commission impose a civil penalty of no less than \$1 million and that it suspends Electricity Maine's license to operate for one year. We also suggest that penalty funds collected be directed towards an educational campaign to improve consumer understanding of the competitive retail market.

Maine adopted a competitive retail market for electricity for all customers with the understanding that markets generally act to lower prices and improve service to customers. When rogue actors behave as Electricity Maine has, it undermines consumer confidence and trust in the market, diminishing the potential benefits of the market for everyone. The remedies sought by the OPA are intended to restore confidence in the integrity of the market to ensure that these benefits continue to be available.

Because certain events happened after the close of the record in this proceeding, the OPA's brief does not address more recent reports that Electricity Maine has been taking improper actions to collect bills from customers and has been reenrolling customers without

following correct procedures. These reports serve to reinforce the OPA's concern that extraordinary remedies are necessary.

Sincerely,



Eric J. Bryant  
Senior Counsel



Andrew Landry  
Deputy Public Advocate